

PAR Monitor Report Bosnia and Herzegovina

POLICY DEVELOPMENT AND COORDINATION

2024/2025



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ABOUT WEBER 3.0

Building upon the achievements of its predecessors, the WeBER (2015 – 2018) and WeBER 2.0 (2019 – 2023) projects, the **Western Balkan Enablers for Reforming Public Administrations – WeBER 3.0** project is the third consecutive EU-funded grant of the largest civil society-led initiative for monitoring public administration reform (PAR) in the Western Balkans. Its implementation period is February 2023 – July 2026. Guided by the SIGMA/OECD Principles, the first two phases of the initiative laid the foundation for WeBER 3.0's ambition **to further empower civil society organisations (CSOs) to contribute to more transparent, open, accountable, citizen-centric and thus more EU-compliant administrations in the WB region.**

WeBER 3.0 continues to promote the crucial role of CSOs in PAR, while also advocating for broader citizen engagement in this process and inclusive reform measures which are user-tailored and thus lead to tangible improvements. By grounding actions in robust monitoring data and insights, WeBER 3.0 will empower civil society to more effectively influence the design and implementation of PAR. To foster collaborative policymaking and bridge the gap between aspirations and actionable solutions, the project will facilitate sustainable policy dialogue between governments and CSOs through the WeBER Platform and its National PAR Working Groups. Finally, through small grants for local CSOs, WeBER 3.0 bolsters local-level PAR engagement, amplifying the voices of citizens – the final beneficiaries of the public administrations' work.

WeBER 3.0 products and further information about them are available on the project's website at www.par-monitor.org.

WeBER 3.0 is implemented by the Think for Europe Network (TEN), composed of six EU policy-oriented think tanks in the Western Balkans:



By partnering with the Centre for Public Administration Research (KDZ) from Vienna, WeBER 3.0 has ensured EU-level visibility.



ACKNOWLEDGEMENTS

As in the case of the previous editions of the National PAR Monitor reports, published for 2017/2018, 2019/2020 and 2021/2022, special acknowledgements go to the members of the WeBER Platform and the National Working Group in Bosnia and Herzegovina, as well as to all stakeholders who shared their experiences and insights through interviews, thereby making an invaluable contribution to the quality of this report. To preserve their anonymity, they are not individually identified in this publication.

The WeBER 3.0 team would also like to express its gratitude to its main partners and associates, whose support has been instrumental throughout the research and monitoring process. In particular, we acknowledge SIGMA/OECD (Support for Improvement in Governance and Management), the Regional School of Public Administration (ReSPA), and the Public Administration Reform Coordinator's Office of Bosnia and Herzegovina, as the project associate.

EXECUTIVE SUMMARY

This report assesses the transparency and inclusiveness of four aspects of policy development and coordination: (1) transparency and inclusiveness of government decision-making, (2) transparency of government planning and reporting, (3) transparency and inclusiveness of policy making and legislation development, and (4) transparency and inclusiveness of policy implementation, evaluation, and parliamentary scrutiny. The findings cover the period from 2023 to 2025, as well as developments from the end of 2022 not covered in the previous monitoring cycle.

The monitoring indicates that Bosnia and Herzegovina has established a generally adequate strategic framework for improving transparency and inclusiveness across the policy cycle. Public administration reform documents recognise transparency, participation, evidence-based policymaking and accountability as important reform objectives, while the legal framework provides a solid basis for several aspects of transparent governance, particularly public consultations and access to information. However, these strategic and regulatory commitments are only partially reflected in administrative practice.

Regarding government decision-making, the Council of Ministers has established a consistent practice of publishing agendas, press releases, and adopted decisions, enabling the public to follow government activities. Nevertheless, important shortcomings remain. Minutes of government sessions are not publicly available, while adopted decisions continue to be published only after the completion of formal publication procedures, limiting timely public insight into government deliberations.

The assessment of government planning and reporting reveals a mixed picture. Annual work programmes and implementation reports are generally published, and planning documents contain measurable performance indicators. However, publication is not always timely, implementation reports only partially report against predefined indicators, government planning documents remain difficult for citizens to understand, and no open data are provided. In addition, Bosnia and Herzegovina still lacks a comprehensive government European integration planning document.

The greatest implementation gap is evident in policy making and legislative development. Although Bosnia and Herzegovina has established a relatively comprehensive consultation framework supported by the eKonsultacije platform, important shortcomings persist. Early stakeholder engagement is not

systematically applied, ex ante impact assessments are neither comprehensively regulated nor implemented, institutional oversight of consultation requirements is lacking, and government-led working groups operate without clear rules on transparency or the participation of non-state actors. While consultation procedures are generally respected where consultations are organised, their practical application remains limited.

The weakest results were recorded in the area of policy implementation, evaluation, and parliamentary scrutiny. Monitoring reports on the implementation of policy documents and ex-post evaluations are generally unavailable, advance notification of affected stakeholders prior to legislative changes is not practiced, and parliamentary transparency remains limited due to the incomplete publication of legislative documentation. Parliamentary public hearings provide opportunities for stakeholder participation, but they are organised only occasionally and their influence on legislative outcomes is perceived as limited.

Overall, the monitoring points to a persistent implementation gap between the existing strategic and legal framework and administrative practice. Bosnia and Herzegovina has established many of the formal mechanisms necessary for transparent, participatory and evidence-based policymaking, but their implementation remains inconsistent. Strengthening implementation, improving proactive transparency, institutionalising evidence-based policy evaluation, enhancing parliamentary openness, and ensuring more meaningful stakeholder participation throughout the policy cycle remain the key challenges for improving policy development and coordination.

LIST OF ABBREVIATIONS AND ACRONYMS

BiH	Bosnia and Herzegovina
CoM	Council of Ministers of Bosnia and Herzegovina
CoG	Centre of Government
CSOs	Civil Society Organisations
eKonsultacije	Electronic Public Consultation Platform of the Council of Ministers of Bosnia and Herzegovina
EU	European Union
FoI	Freedom of Information request
HJPC	High Judicial and Prosecutorial Council of Bosnia and Herzegovina
KDZ	Centre for Public Administration Research
KIs	Key Informants
NPAA	National Programme for the Adoption of the Acquis
PAR	Public Administration Reform
PARCO Bosnia	Public Administration Reform Coordinator's Office of Bosnia and Herzegovina
PDF	Portable Document Format
ReSPA	Regional School of Public Administration
RIA	Regulatory Impact Assessment
SIGMA	Support for Improvement in Governance and Management
TEN	Think for Europe Network
WB	Western Balkans
WeBER	Western Balkan Enablers for Reforming Public Administrations

I. WeBER PAR Monitor: What we monitor and how?

I.1 WeBER's approach to monitoring PAR

The Public Administration Reform (PAR) Monitor methodology was developed in 2015-2016, as part of the first Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform (WeBER) project. Since the onset, WeBER has adopted a markedly evidence-based approach in its endeavour to increase the relevance, participation and capacity of civil society organisations (CSOs) in the Western Balkans to advocate for and influence the design and implementation of PAR. The PAR Monitor methodology is a cornerstone WeBER product, enabling civil society monitoring of PAR based on evidence and analysis.

In line with WeBER's focus on the region's EU accession process, once the SIGMA *Principles of Public Administration* were revised in 2023, the WeBER PAR Monitor methodology was also redesigned in 2024, building on the Principles,¹ and on SIGMA Methodology,² and complementing the monitoring by SIGMA by providing additional observations focused on transparency, inclusiveness, openness or other aspects of state administrations' work depending on PAR area in question. This revision helps maintain the focus of WeBER's recommendations on EU-compliant reforms, thus guiding the governments in the region towards successful EU accession and future membership. The main changes in the revised PAR Monitor methodology are briefly listed below.³

1 OECD (2023), The Principles of Public Administration, OECD Publishing, Paris, <https://doi.org/10.1787/7f5ec453-en>.

2 Available at: <https://www.sigmaweb.org/en/publications/documents/2024/assessment-methodology-of-the-principles-of-public-administration.html>.

3 For detailed information on the scope and process of methodology revision please visit <https://www.par-monitor.org/par-monitor-methodology/>.

Table 1: Main changes in the PAR Monitor methodology

STRUCTURE

In order to align with the new SIGMA methodological approach, the following structural changes are introduced:

- Introduction of single indicator per PAR area, divided into sub-indicators, further consisting of several sub-indicator elements (i.e. specific criteria assessed), in order to streamline the approach and emphasise the focus on transparency, inclusiveness and openness in each PAR area.
- Introduction of types of sub-indicator elements, ensuring that all following aspects of reform are covered:
 - 1) Strategy and Policy,
 - 2) Legislation,
 - 3) Institutional Setup,
 - 4) Practice in Implementation, and
 - 5) Outcomes and Impact.
- Introduction of a 100-point scale, for a more nuanced assessment of progress in each PAR area.

DATA SOURCES

- Introduction of interviews with “key informants”, i.e. key non-state actors engaged and familiar with the processes. These interviews serve as a data source for the “Outcomes and Impact” elements instead of the formerly implemented survey of civil society organisations.
- More systematic use of public perception survey results as a data source for “Outcomes and Impact” elements and expanding the scope of the survey to complement the assessment in five PAR areas – all except “Strategy for PAR”.
- Removal of the survey of civil servants as a data source due to persistent issues with ensuring adequate response rates across the region’s administrations.

PAR MONITOR REPORTING

- Six national PAR Monitor reports, one per PAR area (36 in total for the entire PAR Monitor), in order to facilitate timely publication and advocacy for the monitoring results rather than publishing the results of 18 months of research at the end of the process.
- Six regional Western Balkan overview reports, one per PAR area (6 in total).

I.2 Why and how WeBER monitors the “Policy Development and Coordination” area

Meaningful citizen participation in the policy-making processes represents a cornerstone of good governance, by ensuring that decisions reflect the actual societal needs, are developed through dialogue with all stakeholders and affected groups and are subject to public scrutiny. Policies shaped through an open and transparent approach are more legitimate, better informed and evidence-based, and more likely to be effectively implemented. Planning plays a crucial enabling role in this process. When governments adopt, publish, and report on planning documents, they provide predictability, allow stakeholders to engage in a timely manner, and create a basis for assessing whether decisions align with stated strategic objectives. WeBER’s monitoring, thus, focuses on the transparency and inclusiveness of key elements of the policy cycle: from government planning and decision-making, through policy development, to policy implementation and evaluation, and, finally, parliamentary scrutiny. By assessing these interconnected stages, the monitoring examines how key principles of good governance transpose into the everyday practice of public administration, and provides insights into how Western Balkan governments communicate their decisions with the public, and to what extent the voice of the public is heard when key decisions are being made.

Monitoring in **the Policy Development and Coordination** area is based on all six SIGMA Principles in this area:

Principle 2: Public policies are coherent and effectively co-ordinated by the centre of government; decisions are prepared and communicated in a clear and transparent manner.

Principle 3: The government plans and monitors public policies in an effective and inclusive manner, in line with the government fiscal space.

Principle 4: Public policies are developed based on evidence and analysis, following clear and consistent rules for law making; laws and regulations are easily accessible.

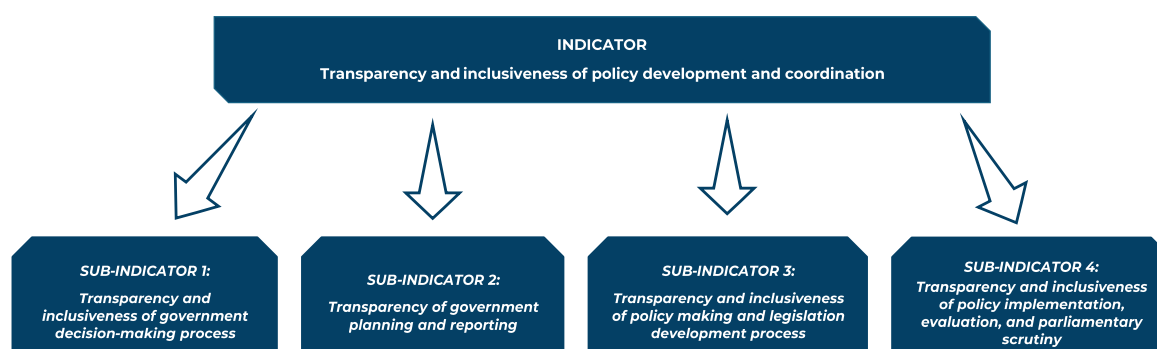
Principle 5: All key external and internal stakeholders and the general public are actively consulted during policy development.

Principle 6: Public policies are effectively implemented and evaluated, enhancing policy outcomes and reducing regulatory costs and burdens.

Principle 7: The parliament effectively scrutinises the government policymaking and ensures overall policy and legislative coherence.

These Principles are assessed from the perspective of the availability, accessibility and timeliness of all relevant information on the government planning, reporting and decision-making, while also examining the inclusiveness of policy and

legislative development. The focus on transparency and inclusiveness also seeks to determine if policies are regularly monitored, evaluated and subject to parliamentary scrutiny.



The monitoring period for the Policy Development and Coordination covers developments since the last PAR Monitor cycle, which lasted from January until November 2022. Thus, this report focuses primarily on the period from 2023 until 2025, as well as the end-of-2022 developments not covered in the previous cycle. Although this report provides a comparison of findings with previous PAR Monitor editions, country scores are incomparable to the previous monitoring due to methodological changes.

The **first sub-indicator** focuses on the existence of strategic and legal framework provisions that provide for transparent government decision-making, while also examining if key documents are available in practice: agendas for government sessions, meeting minutes, decisions and press releases. For the assessment of outcomes and impact, researchers conduct three key informant interviews with non-state actors who possess significant expertise in the area.

Table 2: Indicator elements under sub-indicator 1

Indicator element: number and title	Type
E 1.1 There is a strategic document in force that envisages improvement of transparency of government decision-making process	Strategy and policy
E 1.2 Regulations stipulate transparency of government decision-making process	Legislation
E 1.3 Government regularly publishes agenda items, minutes, and press releases from its sessions online	Practice in implementation
E 1.4 Government regularly publishes decisions from its sessions online	Practice in implementation
E 1.5 Key non-state actors consider the Government's decision-making process as transparent	Outcomes and impact

The **second sub-indicator** assesses the timeliness, availability and regularity of publishing of government planning documents and reports on their implementation, while also examining whether performance-based indicators and citizen-friendly elements are present. Monitoring of strategy and policy, legislation, and practice elements is performed by analysing strategic documents, legal acts and official data publicly available on the websites of relevant institutions. Assessment of outcomes and impact is based on the findings obtained from three key informant interviews, as in the previous sub-indicator.

Table 3: Indicator elements under sub-indicator 2

Indicator element: number and title	Type
E 2.1 There is a strategic document in force that envisages improvement of government planning and reporting practice	Strategy and policy
E 2.2 Regulations stipulate public availability of government planning documents and reports on their implementation	Legislation
E 2.3 Regulations stipulate public availability of government's European integration plans and reports on their implementation	Legislation
E 2.4 Government regularly and timely publishes its annual work plans	Practice in implementation
E 2.5 Government publishes its programme in a timely manner	Practice in implementation
E 2.6 Government's programmes and work plans contain performance indicators for monitoring achievement of results	Practice in implementation
E 2.7 Government regularly and timely publishes reports on the implementation of its work plans	Practice in implementation
E 2.8 Government regularly and timely publishes reports on the implementation of its programme	Practice in implementation
E 2.9 Government regularly and timely publishes its European integration plans	Practice in implementation
E 2.10 Government regularly and timely publishes reports on implementation of its European integration plans	Practice in implementation
E 2.11 Government's reports on implementing its programmes and work plans include assessments of achievement of key results and performance indicators	Practice in implementation
E 2.12 Government plans and reports are citizen friendly	Practice in implementation
E 2.13 Data contained in the government's reports on implementing work plans are available in open format	Practice in implementation
E 2.14 Key non-state actors consider the Government's planning and reporting activities as transparent, timely and citizen friendly	Outcomes and impact

The **third sub-indicator** seeks to examine if policy and legislation development are transparent, inclusive, and evidence-based, both in the strategic and legal framework and its implementation in practice. This includes meaningful stakeholder participation from the earliest phases, regular and comprehensive reporting on consultations, implementation of and reporting on impact assessments, oversight of consultation requirements, and the impact of public input on final decisions.

Monitoring of strategy and policy, legislation, institutional set-up, and practice aspects is performed by combining various data sources to maximise the reliability of results. It includes qualitative analysis of strategic documents, legal acts and official data that is publicly available or obtained from responsible institutions using FOI requests. The analysis of practice type elements under this sub-indicator is conducted on a sample of public policy documents and legal acts adopted in the period of 12 months preceding the monitoring window. Certain elements are based on a sub-sample of two adopted public policy documents and three adopted laws assessed as having significant impact on society or specific affected groups. For the outcomes and impact assessment, researchers conduct three key informant interviews with non-state actors, members of working groups for the development of sample public policy documents and laws, and use the findings of the WeBER public perception survey.

Table 4: Indicator elements under the sub-indicator 3

Indicator element: number and title	Type
E 3.1 There is a strategic document in force that envisages improvement in transparency and inclusiveness of policy making and legislation development process	Strategy and policy
E 3.2 Regulations envisage transparency and inclusiveness of policy making and legislative development process	Legislation
E 3.3 Regulations stipulate minimum consultation requirements	Legislation
E 3.4 Regulations envisage online and free of charge access to consolidated versions of all policy documents and legislation	Legislation
E 3.5 Regulations stipulate mandatory ex ante assessment of impacts - including on gender equality - during policy making, and publication of IA reports	Legislation
E 3.6 There is a designated government institution for checking compliance with consultations requirements	Institutional set-up
E 3.7 Ex ante impact assessments – including on gender equality - are consistently applied during the development of policy documents	Practice in implementation

E 3.8 Ex ante impact assessments – including on gender equality - are consistently applied during the development of primary legislation	Practice in implementation
E 3.9 Reports on implemented ex ante impact assessments during the development of primary legislation are regularly published online, together with the draft documents	Practice in implementation
E 3.10 Published reports on implemented ex ante impact assessments during the development of primary legislation contain key information	Practice in implementation
E 3.11 Non-state actors participate in the Government-led working groups for policy and legislative development	Practice in implementation
E 3.12 Procedures and decisions of working groups are transparent	Practice in implementation
E 3.13 Public consultations on policy documents and primary legislation are regularly held	Practice in implementation
E 3.14 Public consultations are conducted in an early phase of policy development	Practice in implementation
E 3.15 Reports on public consultations on policy documents are publicly available	Practice in implementation
E 3.16 Reports on public consultations on primary legislation are publicly available	Practice in implementation
E 3.17 Public consultation reports contain all elements of the implemented consultation process	Practice in implementation
E 3.18 Online, central consultation portal for the implementation of consultations is regularly used	Practice in implementation
E 3.19 Designated government institution regularly checks compliance with public consultation requirements	Practice in implementation
E 3.20 Lead ministries proactively inform on public consultations	Practice in implementation
E 3.21 Consolidated versions of primary and secondary legislation are easily accessible online, and available free of charge	Practice in implementation
E 3.22 Public consultation results have impact on final policy and legislative proposals	Outcomes and impact
E 3.23 Key non-state actors consider the work of the Government-led working groups as transparent and inclusive	Outcomes and impact
E 3.24 Citizens' perception of their opportunity to participate in the development of laws and strategies	Outcomes and impact

The **fourth sub-indicator** focuses on the transparency of policy implementation through availability of monitoring reports and ex-post evaluations, advance notifications to affected groups on the upcoming changes to the legal framework, and involvement of non-state actors in parliamentary deliberations through public hearings. Monitoring of this sub-indicator is based on the review of the strategic framework, regulations and websites and documents of relevant institutions. For the assessment of outcomes and impact, researchers conduct three key informant interviews with non-state actors, participants of public hearings organised by the parliament.

Table 5: Indicator elements under the sub-indicator 4

Indicator element: number and title	Type
E 4.1 There is a strategic document in force that envisages transparency and inclusiveness of policy monitoring and evaluation practices	Strategy and policy
E 4.2 Regulations envisage sending advance notifications to affected groups on the upcoming changes to the legal framework	Legislation
E 4.3 Parliamentary rules of procedure envisage participation of interested parties in parliamentary discussions, in the form of public hearings	Legislation
E 4.4 Lead ministries publish advance notifications to the affected groups on the upcoming changes to the legal framework	Practice in implementation
E 4.5 Lead ministries regularly publish monitoring reports on implementation of policy documents	Practice in implementation
E 4.6 Monitoring reports on implementation of policies are citizen friendly	Practice in implementation
E 4.7 Lead ministries publish ex-post evaluations on implementation of policies	Practice in implementation
E 4.8 Ex-post evaluations on implementation of policies use external data and information produced by non-state actors	Practice in implementation
E 4.9 Parliament involves stakeholders, affected groups, and other non-state actors in public hearings	Practice in implementation
E 4.10 Online transparency of the work of parliaments	Practice in implementation
E 4.11 Key non-state actors consider involvement of stakeholders in public hearings as effective	Outcomes and impact

II. TRANSPARENCY AND INCLUSIVENESS OF POLICY DEVELOPMENT AND COORDINATION

This section presents the assessment results for Bosnia and Herzegovina. Each sub-section presents the results for one sub-indicator (four in total), beginning with a brief overview of developments since the PAR Monitor 2021/2022. This is followed by a detailed assessment of the sub-indicator elements, starting with the policy, legislation and institutional framework, then moving to the practice in implementation, and ending with outcomes and impact. Each sub-indicator assessment concludes with the graph showing the awarded points.

The graph below displays the overall results for the Policy Development and Coordination area in Bosnia and Herzegovina, measured on a scale from 0 to 100 points.

Transparency and inclusiveness of policy development and coordination (score 0-100)



II.1 Transparency and inclusiveness of government decision-making process

Principle 2: Public policies are coherent and effectively co-ordinated by the centre of government; decisions are prepared and communicated in a clear and transparent manner.

Awarded points per element in sub-indicator 1: Inclusiveness and transparency of government decision-making process⁴

Indicator elements	Element type	Score
E 1.1 There is a strategic document in force that envisages improvement of transparency of government decision-making process	Strategy and policy	0.5/0.5
E 1.2 Regulations stipulate transparency of government decision-making process	Legislation	0.75/1
E 1.3 Government regularly publishes agenda items, minutes, and press releases from its sessions online	Practice in implementation	1.5/2
E 1.4 Government regularly publishes decisions from its sessions online	Practice in implementation	1.25/2.5
E 1.5 Key non-state actors consider the Government's decision-making process as transparent	Outcomes and impact	2.25/3
Total score for sub-indicator 1		6.25/9

State of play

Since the previous WeBER monitoring cycle, limited progress has been observed in the transparency of government decision-making. The Council of Ministers has maintained its practice of proactively publishing agendas and press releases, while agendas were consistently published in advance of all observed sessions during the current monitoring period. At the same time, the main shortcomings identified in the previous monitoring cycle remain. Minutes from government sessions are still not publicly available, and adopted decisions

⁴ The first sub-indicator focuses on the following SIGMA sub-principles: The centre of government (CoG) enables and facilitates policy co-ordination across ministries and relevant institutions to ensure overall policy coherence and better and more sustainable policy outcomes; Government decisions are prepared, approved and followed up in a transparent, effective and timely manner, based on clear rules and procedures, through the relevant decision-making structures, including government sessions.

continue to be published with a delay through the Official Gazette of Bosnia and Herzegovina rather than within one week of their adoption. Consequently, transparency has improved only marginally, while public insight into the decision-making process itself remains limited.

The strategic framework for public administration reform in Bosnia and Herzegovina recognises transparency of government decision-making as an important reform objective. The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027⁵ includes measures aimed at strengthening transparency, participation, accountability, evidence-based decision-making, and coordination, while clearly assigning responsibilities for their implementation. This provides an adequate strategic basis for improving transparency of government decision-making processes.

The legal framework only partially operationalises these strategic commitments. The Rules of Procedure of the Council of Ministers regulate the publicity of the institution's work and envisage informing the public through press releases, press conferences, and other communication channels. They also provide for the publication of agenda-related materials and decisions, while allowing sessions to be opened to the public where appropriate. However, the Rules of Procedure do not establish a requirement for the systematic publication of minutes from government sessions. Furthermore, they provide for exceptions to publicity, including restrictions based on the Law on Freedom of Access to Information⁶ and the protection of classified information.

The monitoring findings indicate that the Council of Ministers has established a consistent practice of proactively publishing information related to its sessions. During the monitoring period, all observed sessions were announced in advance, with agendas published before the meetings, and each session was followed by a press release informing the public about the adopted decisions. This practice contributes to the transparency and predictability of the Council of Ministers' work by enabling the public to follow the issues under consideration. However, minutes from government sessions were not published during the monitoring period, limiting public insight into the discussions and reasoning behind adopted decisions.

The assessment further shows that adopted decisions are generally made publicly available through the Official Gazette of Bosnia and Herzegovina⁷, which is accessible free of charge. Nevertheless, the publication of these decisions does not take place within one week of their adoption, as required by the indicator

⁵ The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027 - The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027

⁶ Law on Freedom of Access to Information - <https://www.pufbih.ba/v1/public/upload/zakoni/1e78c-zakon-o-slobodi-pristupa-informacijama-ispravan-tekst.pdf>

⁷ Official Gazette of Bosnia and Herzegovina - <https://www.sluzbenilist.ba/>

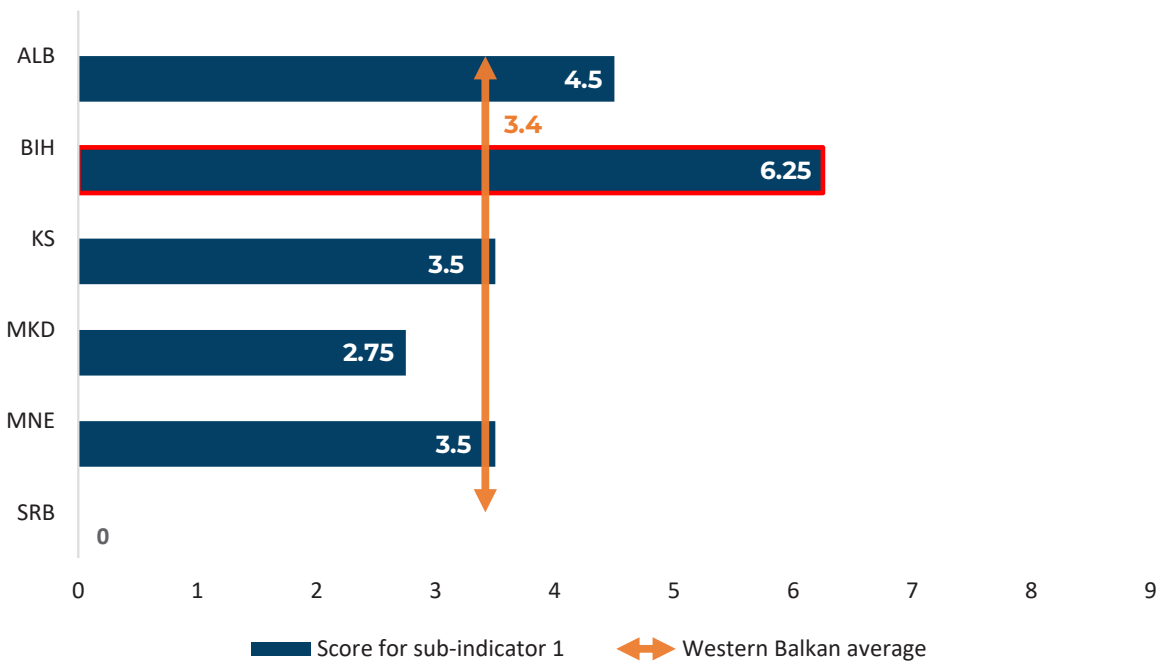
methodology. Instead, decisions are published only after the completion of the administrative procedure for signing and publication, reducing the timeliness of public access to government decisions.

The perceptions of key non-state stakeholders are fully consistent with the findings of the desk analysis. All interviewees considered agendas for government sessions to be transparent and agreed that the Council of Ministers regularly informs the public about its decisions through press releases. They also assessed adopted decisions as generally transparent, although noting that published information is often limited in detail. At the same time, all interviewees agreed that the lack of publicly available minutes represents the main weakness of the current transparency framework, as it prevents meaningful public insight into government deliberations and the rationale for adopted decisions.

Overall, the findings indicate that the Council of Ministers has established a consistent practice of proactively publishing information on its work, particularly through agendas, press releases, and the publication of adopted decisions. However, the absence of publicly available minutes and the delayed publication of adopted decisions continue to limit the overall transparency of the government decision-making process, despite the existence of an adequate strategic framework and generally positive implementation in other aspects of proactive disclosure.

HOW DOES BOSNIA AND HERZEGOVINA DO IN REGIONAL TERMS?

Sub-indicator 1: Transparency and inclusiveness of the government decision-making process (maximum score 9)



II.2 Transparency of government planning and reporting

Principle 3: The government plans and monitors public policies in an effective and inclusive manner, in line with the government fiscal space.

***Awarded points per element in sub-indicator 2:
Transparency of government planning and reporting⁸***

Indicator elements	Element type	Score
E 2.1 There is a strategic document in force that envisages improvement of government planning and reporting practice	Strategy and policy	0.5/0.5
E 2.2 Regulations stipulate public availability of government planning documents and reports on their implementation	Legislation	0/0.5
E 2.3 Regulations stipulate public availability of government's European integration plans and reports on their implementation	Legislation	0/0.5
E 2.4 Government regularly and timely publishes its annual work plans	Practice in implementation	0.75/1.5
E 2.5 Government publishes its programme in a timely manner	Practice in implementation	0/1.5
E 2.6 Government's programmes and work plans contain performance indicators for monitoring achievement of results	Practice in implementation	1.5/1.5
E 2.7 Government regularly and timely publishes reports on the implementation of its work plans	Practice in implementation	0.75/1.5
E 2.8 Government regularly and timely publishes reports on the implementation of its programme	Practice in implementation	0/1.5
E 2.9 Government regularly and timely publishes its European integration plans	Practice in implementation	0/1.5

⁸ The second sub-indicator focuses on the following SIGMA sub-principles: Policy planning documents meet quality requirements and contain adequate analysis and information, including on policy objectives, indicators with targets and monitoring framework. They are developed in a participatory manner and are publicly available; Performance and results, including achievement of policy objectives and outcome indicators, are regularly monitored and reported on; monitoring reports are published on time to enable public scrutiny; The government effectively implements EI plans through prioritising and costing of EI-related commitments, taking into consideration the available resources and capacities of the administration.

E 2.10 Government regularly and timely publishes reports on implementation of its European integration plans	Practice in implementation	0/1.5
E 2.11 Government's reports on implementing its programmes and work plans include assessments of achievement of key results and performance indicators	Practice in implementation	1/2
E 2.12 Government plans and reports are citizen friendly	Practice in implementation	0/1.5
E 2.13 Data contained in the government's reports on implementing work plans are available in open format	Practice in implementation	0/1.5
E 2.14 Key non-state actors consider the Government's planning and reporting activities as transparent, timely and citizen friendly	Outcomes and impact	0/3
Total score for sub-indicator 2		4.5/20

State of play

The strategic framework for public administration reform in Bosnia and Herzegovina provides an adequate basis for improving government planning and reporting. In practice, the Council of Ministers regularly publishes its annual work programmes and annual implementation reports, although their adoption and publication are not always timely. At the same time, the legal framework does not require the proactive publication of planning documents, Bosnia and Herzegovina still lacks a comprehensive European integration planning document, and government planning and reporting remain insufficiently citizen friendly, with no open data made available.

The strategic framework for public administration reform in Bosnia and Herzegovina recognises the importance of improving government planning and reporting. The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027⁹ includes measures aimed at strengthening the coherence, transparency, participation, efficiency, monitoring, and coordination of policy planning, while clearly assigning institutional responsibilities for their implementation. This provides an adequate strategic basis for improving government planning and reporting practices.

⁹ The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027 - <https://parco.gov.ba/wp-content/uploads/2016/08/BOSANSKI-AP-JULI-2020.pdf>

However, the legal framework only partially supports these strategic objectives. The Law on the Council of Ministers¹⁰ and the Decision on Annual Planning¹¹ regulate the preparation of government planning documents and reports on their implementation, but they do not establish explicit obligations for their proactive publication, nor do they define deadlines or formats for public disclosure. Furthermore, Bosnia and Herzegovina still lacks a National Programme for the Adoption of the Acquis (NPAA) or another comprehensive government European integration planning document. Consequently, neither the legal framework nor implementation practice provides for the publication of European integration plans or reports on their implementation.

The monitoring findings indicate that the Council of Ministers has established a generally regular practice of publishing annual work programmes and annual reports on their implementation. Nevertheless, the publication of these documents is not fully timely. Annual work programmes are generally published shortly after their adoption, but not within the timeframe required by the methodology. Moreover, both the Annual Work Programme and the Medium-Term Programme were adopted after the deadlines prescribed by the applicable regulations, which also affected the timeliness of their publication. Similarly, annual implementation reports are published regularly but not within the required timeframe. No reports on the implementation of the Government's medium-term programme were publicly available during the monitoring period, despite the applicable regulations requiring annual reporting.

The quality of government planning documents demonstrates some positive developments. Annual work programmes contain measurable performance indicators, including baseline and target values, allowing progress to be monitored against predefined objectives. However, this results-based approach is not consistently reflected in implementation reporting. While the analysed annual report provides qualitative assessments of progress and describes the achievement of key results, it does not systematically report against predefined performance indicators or measurable targets, limiting its usefulness for assessing policy performance.

The assessment also identified important shortcomings regarding the accessibility and usability of planning and reporting documents. The analysed work programmes and implementation reports are written predominantly in technical and bureaucratic language, without simplified summaries, graphical presentations, or other features that would facilitate understanding by citizens. Furthermore, the analysed implementation report is available only in PDF format, while no machine-readable datasets are available on government websites. Bosnia and Herzegovina also lacks a national open data portal through which such information could be made available in reusable formats.

¹⁰ The Law on the Council of Ministers - <https://www.parlament.ba/law/LawDetails?lawId=1192>

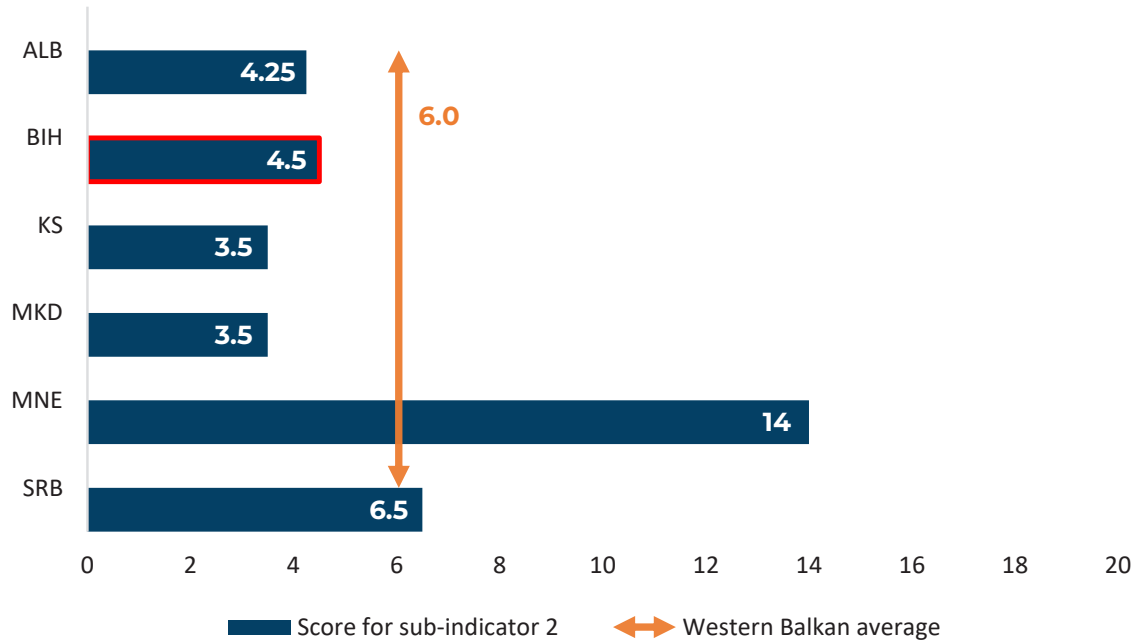
¹¹ Decision on Annual Planning - <https://www.sluzbenilist.ba/page/akt/oks5bElxrzU=>

The perceptions of key non-state stakeholders broadly correspond with the findings of the desk analysis. Interviewees expressed mixed views regarding the transparency and timeliness of government planning and reporting, acknowledging that key planning and reporting documents are generally available but questioning whether publication is sufficiently timely and whether document availability alone ensures genuine transparency. At the same time, all interviewees agreed that government planning and reporting documents are not citizen friendly, emphasising that they are written primarily for institutional audiences and remain difficult for the wider public to understand.

Overall, the findings indicate that Bosnia and Herzegovina has established an adequate strategic framework and maintains a generally regular practice of publishing core government planning and reporting documents. However, weaknesses in the legal framework, delays in the adoption and publication of key planning documents, the absence of a comprehensive European integration planning framework, limited reporting against performance indicators, poor citizen-friendliness, and the absence of open data continue to limit the overall transparency and accessibility of government planning and reporting activities.

HOW DOES BOSNIA AND HERZEGOVINA DO IN REGIONAL TERMS?

Sub-indicator 2: Transparency of government planning and reporting (maximum score 20)



II.3 Transparency and inclusiveness of policy making and legislation development process

Principle 4: Public policies are developed based on evidence and analysis, following clear and consistent rules for law making; laws and regulations are easily accessible.

Principle 5: All key external and internal stakeholders and the general public are actively consulted during policy development.

Awarded points per element in sub-indicator 3: Transparency and inclusiveness of policy making and legislation development process¹²

Indicator elements	Element type	Score
E 3.1 There is a strategic document in force that envisages improvement in transparency and inclusiveness of policy making and legislation development process	Strategy and policy	0.5/0.5
E 3.2 Regulations envisage transparency and inclusiveness of policy making and legislative development process	Legislation	1.5/3
E 3.3 Regulations stipulate minimum consultation requirements	Legislation	3/3.75
E 3.4 Regulations envisage online and free of charge access to consolidated versions of all policy documents and legislation	Legislation	0/1.5

¹² The third sub-indicator focuses on the following SIGMA sub-principles: A whole-of-government policy to promote better regulation, evidence-based and inclusive policymaking is established and applied in practice during policy development and legislative drafting; Procedures are in place and consistently applied and monitored to enable pro-active and effective public consultations with stakeholders and the general public, allowing businesses, non-governmental organisations and citizens, including from vulnerable groups to participate in and inform government policymaking; All primary and secondary legislation, including consolidated versions, is easily accessible and available free of charge through a central online database(s). Administrative guidance documents, forms and materials essential for complying with regulations are easily available for businesses and citizens; Regulatory impact assessment (RIA), or other similar tool(s), is adopted and systematically used to support policy development, facilitate consultation and inform decision-making at all key stages of policymaking, covering both primary and secondary legislation, including the impact on the environment and climate where necessary; Consultation with the general public is conducted in an accessible and transparent manner; Ministries hold constructive dialogue with key external stakeholders and collect, analyse and use all responses when finalising the policy proposal. They transparently report on the outcome of the public consultation process and how consultees' views have shaped and influenced policy; All possible impacts of policy proposals are systematically analysed; reasonable efforts are made to quantify and monetise key impacts, including additional costs on the state budget, businesses and citizens; Ministries have clear internal rules and procedures for planning and managing effectively the development of policies and legislative drafting.

E 3.5 Regulations stipulate mandatory ex ante assessment of impacts - including on gender equality - during policy making, and publication of IA reports	Legislation	0/1.75
E 3.6 There is a designated government institution for checking compliance with consultations requirements	Institutional set-up	0/0.75
E 3.7 Ex ante impact assessments – including on gender equality - are consistently applied during the development of policy documents	Practice in implementation	0/1.5
E 3.8 Ex ante impact assessments – including on gender equality - are consistently applied during the development of primary legislation	Practice in implementation	0/2
E 3.9 Reports on implemented ex ante impact assessments during the development of primary legislation are regularly published online, together with the draft documents	Practice in implementation	0/1.5
E 3.10 Published reports on implemented ex ante impact assessments during the development of primary legislation contain key information	Practice in implementation	0/2.5
E 3.11 Non-state actors participate in the Government-led working groups for policy and legislative development	Practice in implementation	0/2
E 3.12 Procedures and decisions of working groups are transparent	Practice in implementation	0/2.5
E 3.13 Public consultations on policy documents and primary legislation are regularly held	Practice in implementation	0/2
E 3.14 Public consultations are conducted in an early phase of policy development	Practice in implementation	0/1.5
E 3.15 Reports on public consultations on policy documents are publicly available	Practice in implementation	0/1.5
E 3.16 Reports on public consultations on primary legislation are publicly available	Practice in implementation	1.5/1.5
E 3.17 Public consultation reports contain all elements of the implemented consultation process	Practice in implementation	0/3.75
E 3.18 Online, central consultation portal for the implementation of consultations is regularly used	Practice in implementation	2.25/2.25

E 3.19 Designated government institution regularly checks compliance with public consultation requirements	Practice in implementation	0/1.5
E 3.20 Lead ministries proactively inform on public consultations	Practice in implementation	0/2.5
E 3.21 Consolidated versions of primary and secondary legislation are easily accessible online, and available free of charge	Practice in implementation	1/1.5
E 3.22 Public consultation results have impact on final policy and legislative proposals	Outcomes and impact	0/3.75
E 3.23 Key non-state actors consider the work of the Government-led working groups as transparent and inclusive	Outcomes and impact	2/3
E 3.24 Citizens' perception of their opportunity to participate in the development of laws and strategies	Outcomes and impact	1/4
Total score for sub-indicator 3		12.75/52

State of play

Bosnia and Herzegovina has established a solid strategic framework and a relatively comprehensive regulatory basis for ensuring transparency and inclusiveness in policy making and legislative development, particularly through the Rules for Consultations in Drafting Legal Regulations and the eKonsultacije platform. In practice, public consultations are generally supported by clear procedural rules, while consultation reports are published and electronic participation is enabled through the central consultation platform. However, important shortcomings remain. Early stakeholder engagement is not systematically applied, ex ante impact assessments are neither comprehensively regulated nor conducted in practice, institutional oversight of compliance with consultation requirements is lacking, and government-led working groups operate without clear rules on transparency or the participation of non-state actors. In addition, consolidated versions of legislation are not systematically available through official sources. As a result, although the regulatory framework provides a sound basis for participatory policy making, implementation remains uneven and the overall policy-making process is only partially transparent, inclusive, and evidence-based.

The strategic framework for public administration reform in Bosnia and Herzegovina recognises transparency, evidence-based policy making, and stakeholder participation as key components of public administration reform. The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027¹³ includes measures aimed at improving the quality and coordination of policy development, strengthening institutional capacities, and ensuring greater transparency and inclusiveness throughout the policy cycle. Particular emphasis is placed on improving public consultation mechanisms, strengthening cooperation with civil society, developing electronic consultation platforms, ensuring proactive publication of consultation processes and reports, and establishing monitoring mechanisms to track the implementation of consultation requirements. Responsibilities and indicators for these measures are clearly defined, providing an adequate strategic basis for improving transparency and inclusiveness in policy making and legislative development.

The legal framework largely supports these strategic objectives by regulating public consultations for both policy documents and legislation prepared by the institutions of the Council of Ministers of Bosnia and Herzegovina. The Rules for Consultations in Drafting Legal Regulations¹⁴ establish obligations to consult stakeholders throughout the drafting process, provide opportunities for wider public participation through the eKonsultacije platform, and require institutions to prepare consultation reports explaining how stakeholders' comments have been addressed. The regulatory framework also establishes comprehensive minimum consultation standards, including minimum consultation periods, publication of draft documents, the use of multiple consultation channels, and mandatory reporting on consultation outcomes. These provisions create a solid procedural basis for conducting transparent and inclusive consultations during policy development.

Despite these strengths, important gaps remain within the regulatory framework. Existing rules do not regulate the transparency of government-led working groups responsible for drafting policy documents and legislation, nor do they require the inclusion of representatives of civil society or other non-state actors in such groups or establish transparent selection procedures for their participation. Similarly, the legal framework does not require systematic online publication of consolidated versions of legislation or policy documents, while free access to consolidated legal texts is not comprehensively regulated. Although the consultation rules require institutions to consider different categories of regulatory impacts during drafting, they do not establish a comprehensive and mandatory system of ex ante impact assessments, including mandatory gender impact assessments or the publication of dedicated impact assessment

¹³ The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027 - <https://parco.gov.ba/wp-content/uploads/2016/08/BOSANSKI-AP-JULI-2020.pdf>

¹⁴ The Rules for Consultations in Drafting Legal Regulations - <https://ekonsultacije.gov.ba/home/rules>

reports. Furthermore, no centre-of-government institution has been assigned responsibility for systematically verifying whether consultation requirements have been respected during policy development.

The assessment of implementation demonstrates a considerable gap between the regulatory framework and administrative practice. During the observed period, only one out of four laws adopted by the Parliamentary Assembly of Bosnia and Herzegovina underwent external public consultations, while no policy documents were adopted. Early consultations with stakeholders before the preparation of draft legislation were not identified, indicating that consultations continue to be organised primarily at later stages of the drafting process. Consequently, public participation remains limited despite the existence of an established consultation framework.

Where consultations were conducted, however, the procedural requirements were generally respected. The consultation process was carried out through the eKonsultacije platform¹⁵, draft documents were made publicly available, comments could be submitted electronically, and a final consultation report was published. The report covered the consultation process comprehensively, although no comments were received during the consultation period, making it impossible to assess the extent to which stakeholder inputs influenced the final legislative proposal. Similarly, because no comments were submitted, the assessment could not determine whether consultation reports systematically provide feedback on individual proposals or justify their acceptance or rejection.

The assessment also identified significant weaknesses regarding evidence-based policy making. Ex ante impact assessments are neither explicitly required by the regulatory framework nor systematically conducted in practice. Consequently, no evidence was found of impact assessments accompanying policy documents or legislation, nor of dedicated assessments of gender equality impacts. Likewise, reports on ex ante impact assessments are not published, limiting transparency regarding the analytical basis for government decision-making.

Institutional arrangements supporting participatory policy making also remain underdeveloped. Government-led working groups are generally established internally by individual institutions rather than as formal participatory mechanisms. The legal framework does not require the inclusion of non-state actors, and monitoring found no examples of formal external membership in the observed cases. The work of these groups is also characterised by limited transparency, as decisions establishing working groups, their membership, and minutes or reports from their meetings are generally not publicly available.

The assessment further shows that proactive communication with stakeholders remains limited. Lead institutions generally rely exclusively on the eKonsultacije portal to announce consultation processes, while other communication

¹⁵ eKonsultacije platform - <https://ekonsultacije.gov.ba>

channels, such as institutional websites, social media, email notifications, or traditional media, are rarely used to increase public awareness and participation. Nevertheless, where consultations are conducted, the eKonsultacije platform functions effectively by providing access to consultation materials, enabling electronic submission of comments, and publishing final consultation reports.

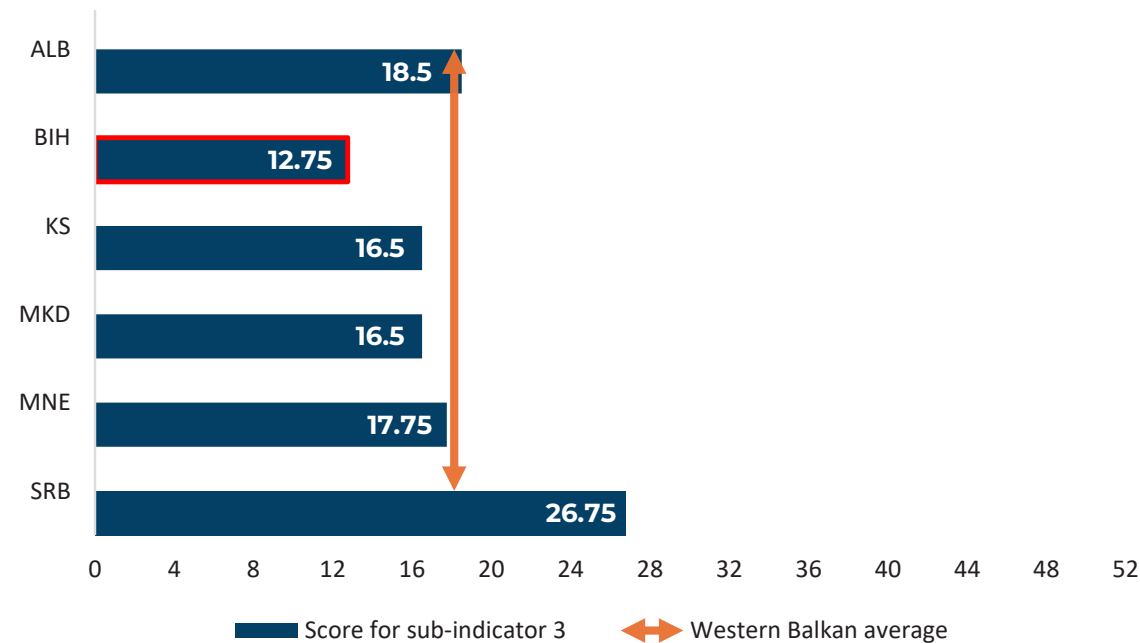
Access to legislation demonstrates mixed results. Legal acts are generally available online free of charge and official databases allow searches using several criteria, improving accessibility for users. However, consolidated versions of legislation are not systematically available through official government sources. Although some consolidated texts can be found on the websites of individual institutions, this practice is not comprehensive and is not supported by a clear legal obligation.

The perceptions of key non-state stakeholders broadly complement the findings of the desk analysis. Interviewees who had experience participating in government-led working groups generally considered cooperation with lead ministries to be constructive, indicating that institutions usually consider proposals submitted by non-state actors and provide explanations when proposals are not accepted. At the same time, they noted that documents and decisions resulting from the work of these groups are not consistently shared with participants, reflecting the absence of formal transparency requirements. The public perception survey also points to a moderate level of confidence in opportunities for participation, with 44% of respondents agreeing that they have an opportunity to participate in the development of laws and strategies in Bosnia and Herzegovina.

Overall, the findings indicate that Bosnia and Herzegovina has established a solid strategic framework and a relatively comprehensive regulatory basis for public consultations. However, these arrangements are only partially translated into practice. Limited use of consultations, the absence of systematic early stakeholder engagement, weak institutional oversight, the lack of mandatory ex ante impact assessments, insufficient transparency of working groups, and incomplete accessibility of consolidated legislation continue to constrain the transparency, inclusiveness, and evidence-based quality of policy making and legislative development. This points to a persistent implementation gap between the existing regulatory framework and administrative practice.

HOW DOES BOSNIA AND HERZEGOVINA DO IN REGIONAL TERMS?

Sub-indicator 3: Transparency and inclusiveness of policy making and legislation development process (maximum score 52)



II.4 Transparency and inclusiveness of policy implementation, evaluation, and parliamentary scrutiny

Principle 6: Public policies are effectively implemented and evaluated, enhancing policy outcomes and reducing regulatory costs and burdens.

Principle 7: The parliament effectively scrutinises the government policymaking and ensures overall policy and legislative coherence.

Awarded points per element in sub-indicator 4: Transparency and inclusiveness of policy implementation, evaluation, and parliamentary scrutiny¹⁶

Indicator elements	Element type	Score
E 4.1 There is a strategic document in force that envisages transparency and inclusiveness of policy monitoring and evaluation practices	Strategy and policy	0/0.5
E 4.2 Regulations envisage sending advance notifications to affected groups on the upcoming changes to the legal framework	Legislation	0/0.5
E 4.3 Parliamentary rules of procedure envisage participation of interested parties in parliamentary discussions, in the form of public hearings	Legislation	0.5/0.5
E 4.4 Lead ministries publish advance notifications to the affected groups on the upcoming changes to the legal framework	Practice in implementation	0/1.5
E 4.5 Lead ministries regularly publish monitoring reports on implementation of policy documents	Practice in implementation	0/2.5
E 4.6 Monitoring reports on implementation of policies are citizen friendly	Practice in implementation	0/1.25

¹⁶ The fourth sub-indicator focuses on the following SIGMA sub-principles: The responsible institutions effectively monitor policy implementation and ensure regulatory compliance, based on robust and relevant data, including evidence gathering through direct feedback and consultations with affected stakeholders; Ex post evaluation of major laws and policies is an integral part of the better regulation agenda and is linked to the analysis conducted during the development of the policy. The public administration makes evaluation results publicly available and uses them to inform future policy; Businesses and citizens receive advance notification about upcoming changes in the rules and regulations that will affect them, and sufficient time is allowed for the affected groups to adjust to and align with the new regulatory framework; Parliamentary committees debate and scrutinise legislative initiatives, with active participation of government ministers and senior public servants, and ensure consultation with key stakeholders, while also minimising any risks of undue external influence; The parliamentary services provide expert advice and support to members of parliament for initiating and drafting new laws based on evidence and with input from key stakeholders.

E 4.7 Lead ministries publish ex-post evaluations on implementation of policies	Practice in implementation	0/2.5
E 4.8 Ex-post evaluations on implementation of policies use external data and information produced by non-state actors	Practice in implementation	0/2.5
E 4.9 Parliament involves stakeholders, affected groups, and other non-state actors in public hearings	Practice in implementation	0.75/2.25
E 4.10 Online transparency of the work of parliaments	Practice in implementation	0/2
E 4.11 Key non-state actors consider involvement of stakeholders in public hearings as effective	Outcomes and impact	0/3
Total score for sub-indicator 4		1.25/19

State of play

Since the previous WeBER monitoring cycle, no substantial changes can be identified in the transparency and inclusiveness of policy implementation, evaluation, and parliamentary scrutiny. The monitoring findings continue to point to the absence of systematic policy monitoring reports and ex-post evaluations, while advance notification of affected stakeholders prior to legislative drafting remains unavailable. Parliamentary public hearings continue to provide an opportunity for stakeholder participation when organised, but they remain limited in scope and their perceived influence on legislative outcomes remains modest. In addition, comprehensive legislative documentation is still not systematically published on the Parliament's website. Overall, the findings suggest that the key structural shortcomings affecting transparency, evaluation, and parliamentary scrutiny continue to persist.

The strategic framework for public administration reform in Bosnia and Herzegovina provides only limited support for improving the transparency and inclusiveness of policy implementation, evaluation, and parliamentary scrutiny. While the Action Plan for Public Administration Reform under the Strategic Framework 2018–2027¹⁷ includes measures related to monitoring the implementation of consultation requirements and improving the availability of consultation information, it does not establish a comprehensive system for transparent and inclusive monitoring and evaluation of public policies. The strategic framework therefore addresses transparency primarily in relation to public consultations rather than policy implementation and evaluation more broadly.

¹⁷ The Action Plan for Public Administration Reform under the Strategic Framework 2018–2027 - <https://parco.gov.ba/wp-content/uploads/2016/08/BOSANSKI-AP-JULI-2020.pdf>

The legal framework governing policy implementation similarly contains important gaps. Bosnia and Herzegovina does not regulate the obligation of lead ministries to provide advance notifications to affected groups before initiating changes to the legal framework. Existing consultation rules enable notifications through the eKonsultacije platform¹⁸ once consultation procedures begin, but they do not require institutions to proactively inform potentially affected stakeholders before the formal drafting process starts. As a result, opportunities for early engagement remain limited.

At the same time, the parliamentary framework provides a stronger basis for stakeholder participation. The Rules of Procedure of the House of Representatives¹⁹ explicitly allow parliamentary committees to organise public hearings during the legislative process and invite representatives of institutions, professional organisations, civil society organisations, academia, and other interested parties to participate. The rules further regulate the submission of opinions and supporting materials and require parliamentary committees to include records of public hearings in their reports, while also establishing general principles of transparency through the publication of parliamentary materials, subject to legally defined exceptions.

The assessment of implementation demonstrates significant weaknesses in the transparency of policy monitoring and evaluation. Across the selected policy areas, no implementation monitoring reports were published during the observed period for the relevant strategic documents, despite these documents remaining in force. Consequently, no assessment of their citizen-friendliness could be undertaken. Similarly, no ex-post evaluations of completed policy interventions were identified in any of the observed policy areas. The findings therefore indicate that ex-post evaluation is not yet established as a regular component of the public policy cycle in Bosnia and Herzegovina. As no evaluation reports exist, there is likewise no evidence that external data produced by non-state actors or feedback from target groups are incorporated into policy evaluations.

The monitoring also confirms limited proactive communication regarding legislative changes. For the legislative sample observed, no advance notifications were provided to affected stakeholders before the formal drafting process began. Existing consultation reports explicitly confirmed that no pre-consultations had been organised, indicating that early communication with affected groups is not practiced in the monitored cases.

Parliamentary practice presents a more mixed picture. During the twelve-month monitoring period, one parliamentary public hearing was organised concerning

¹⁸ eKonsultacije platform - <https://ekonsultacije.gov.ba>

¹⁹ The Rules of Procedure of the House of Representatives - <https://www.parlament.ba/data/dokumenti/pdf/vazniji-propisi/Nesluzbeni%20precisceni%20tekst%20-%20Poslovnik%20PD%20februar%202026%20-%20H.pdf>

the Draft Law on the High Judicial and Prosecutorial Council. Representatives of civil society organisations, academia, professional associations, and international organisations participated in the hearing, demonstrating that parliamentary procedures provide opportunities for stakeholder involvement where public hearings are organised. Nevertheless, the limited number of hearings suggests that this participatory mechanism is used only occasionally rather than systematically.

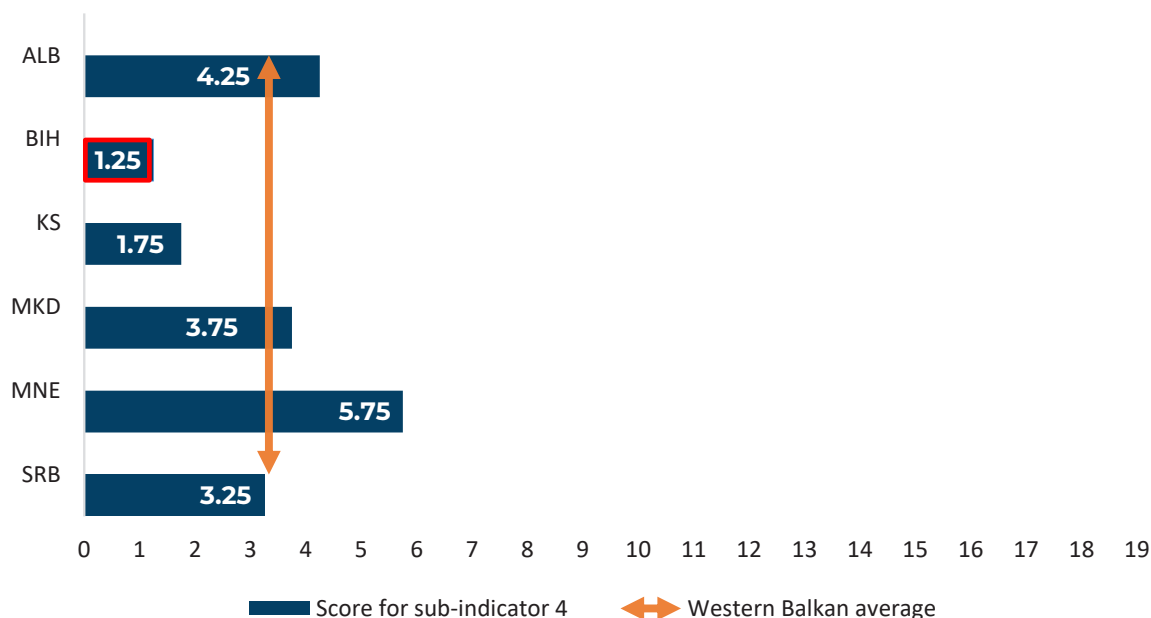
The assessment further reveals shortcomings regarding the transparency of parliamentary legislative information. Although draft legislation is generally made available through the eKonsultacije platform during executive consultations, the Parliamentary Assembly does not systematically publish on its own website all draft laws under parliamentary procedure together with accompanying documentation such as justifications, consultation reports, or ex ante impact assessment reports where applicable. Consequently, opportunities for continuous public scrutiny of legislation throughout the parliamentary phase remain limited.

The perceptions of key non-state stakeholders broadly complement these findings. Interviewees who had participated in parliamentary public hearings acknowledged that such hearings provide an opportunity to present their views and proposals to parliamentary committees. However, they expressed reservations regarding the actual influence of stakeholder contributions on legislative outcomes. While proposals are generally heard during public hearings, participants noted that committees do not consistently demonstrate whether these proposals are subsequently reflected in legislative deliberations, nor do they systematically provide feedback explaining how stakeholder inputs have been considered. This contributes to the perception that participation in parliamentary hearings has only limited practical impact.

Overall, the findings indicate that Bosnia and Herzegovina has established a legal framework that enables stakeholder participation in parliamentary scrutiny, but considerably weaker arrangements for ensuring transparency throughout policy implementation and evaluation. The absence of systematic monitoring reports, the lack of ex-post evaluations, limited early communication with affected stakeholders, incomplete transparency of parliamentary legislative documentation, and the limited perceived influence of public hearings continue to constrain accountability and evidence-based policy implementation. While opportunities for participation exist at certain stages of the policy cycle, they are not yet supported by a comprehensive and consistently implemented system of transparent monitoring, evaluation, and parliamentary oversight.

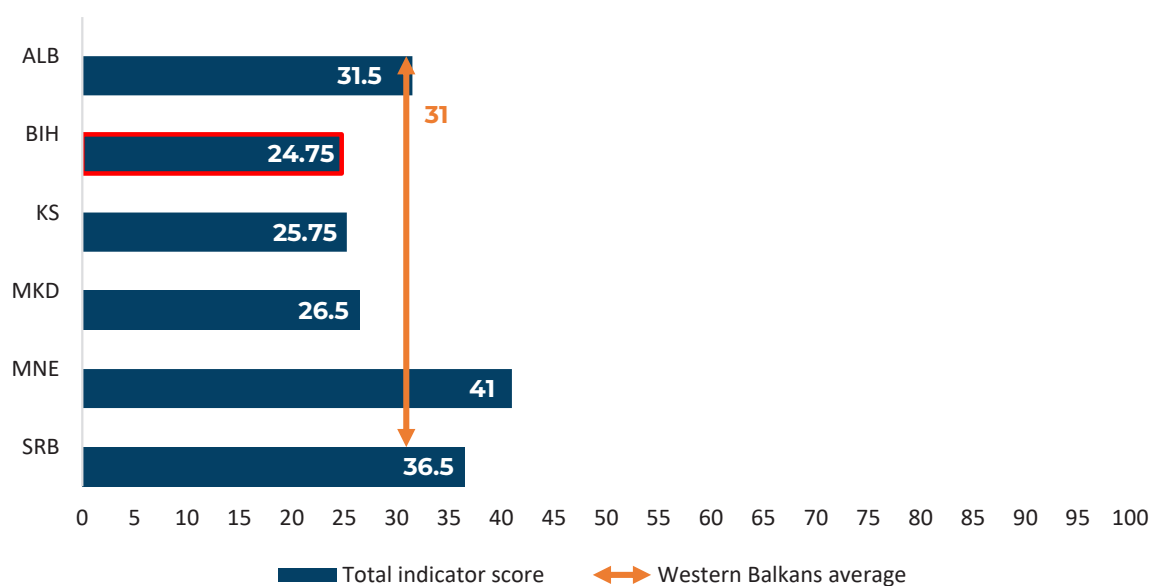
HOW DOES BOSNIA AND HERZEGOVINA DO IN REGIONAL TERMS?

Sub-indicator 4: Transparency and inclusiveness of policy implementation, evaluation, and parliamentary scrutiny (maximum score 19)



OVERALL SCORES COMPARISON IN THE POLICY DEVELOPMENT AND COORDINATION AREA

Indicator: Transparency and inclusiveness of policy development and coordination



Regional overview report for Policy Development and Coordination area, with results for all WB administrations is available at: www.par-monitor.org

II.5 Recommendations for the Policy Development and Coordination area

II.5.1 TRACKING RECOMMENDATIONS FROM PAR MONITOR 2021/2022

Recommendations	Type (short term/ medium term/long term) ¹	Status	Explanation
1. GAWP annual reporting should be improved to include visible results achieved in different policy areas in the reporting period including relevant information on horizontal policy dimensions such as but not limited to gender mainstreaming, environment, sustainable development.	Short term	Partially implemented	Annual work programmes continue to include performance indicators, while annual implementation reports provide qualitative information on achieved results. However, reporting is not systematically linked to predefined performance indicators, and horizontal policy dimensions are not consistently reflected in reporting.
2. The BiH CoM should publish reports in open data format to allow further use by all interested parties and ensure that ministries develop and enforce clear internal rules for policy development.	Short term	No action taken	Government implementation reports continue to be published only in PDF format, while no open data are made available. The monitoring also found no evidence that ministries have established or enforced clear internal rules for policy development that would address the identified shortcomings.
3. The BiH CoM should start regularly publishing all of the adopted documents from each session.	Short term	Partially implemented	The Council of Ministers continues to publish agendas, press releases and adopted decisions. However, decisions are still published only after completion of the Official Gazette procedure rather than within the timeframe required by the methodology, while minutes remain unavailable.
4. RIA methodology should be implemented and evidence based policy making should be ensured.	Medium term	No action taken	The current monitoring found no comprehensive legal framework for mandatory ex ante impact assessments and no evidence of their systematic implementation in practice. Evidence-based policymaking therefore remains insufficiently developed.

²⁰ Recommendations for which the assessed time for implementation is up to one year are labelled as short-term. Medium-term recommendations should be implementable within a period of one to three years. Long-term recommendations require more than three years to be implemented.

5. Institutions should use all the available channels to announce consultations (including websites, e-government portal, Office for Cooperation with Civil Society, social media, etc.).	Short term	No action taken	Institutions continue to rely almost exclusively on the eKonsultacije platform to announce public consultations, while other communication channels are rarely used to increase outreach and participation.
6. Ministry of Justice of BiH should adopt a strategy of promoting the eConsultation portal in order to reach a larger number of participants in the consultation processes and find a way of making the process easier and citizen-friendly.	Short term	No action taken	The eKonsultacije platform continues to function effectively as the central consultation portal and is regularly used for consultations. However, monitoring found no evidence of a dedicated strategy to promote the platform or broader efforts to increase citizen participation through additional outreach measures.
7. When organising consultations, inputs and comments from civil society and the public should be sought as early as possible in the process, preferably during policy formulation.	Medium term	No action taken	Early stakeholder engagement remains absent. The monitored consultation explicitly confirmed that no pre-consultations had been organised, indicating that consultations continue to take place only at later stages of policy and legislative development.
8. A single portal should be created for the publication of all legislation adopted by all levels of government and the online database of legislation should be promoted.	Long term	No action taken	Consolidated versions of legislation remain unavailable through a comprehensive central portal. Although legislation is accessible through existing official sources, monitoring found no integrated platform covering legislation from all levels of government or evidence of enhanced promotion of existing databases.

II.5.2 RECOMMENDATIONS FROM THE 2024/2025 MONITOR REPORT

Recommendations from the monitoring cycle 2024/2025 for the Policy Development and Coordination area are listed below. The recommendations are grouped into three types, according to the estimated time needed for their implementation. Recommendations for which the assessed time for implementation is up to one year are labelled as short-term. Medium-term recommendations should be implementable within a period of one to three years. Long-term recommendations would likely require more than three years to be implemented.

Short-term recommendations

- The Council of Ministers of Bosnia and Herzegovina continues to publish agendas, press releases and adopted decisions from its sessions. However, decisions are often published only after their appearance in the Official Gazette, while minutes and other supporting documents remain unavailable. To improve the transparency of decision-making, the Council of Ministers should ensure the timely publication of all adopted decisions and supporting documentation through its official website.
- Although annual implementation reports are published, they do not systematically demonstrate the extent to which planned objectives and performance indicators have been achieved. The Council of Ministers should improve annual reporting by consistently linking reported achievements to predefined performance indicators and providing more comprehensive information on policy results.
- Planning and reporting documents remain available only in PDF format, limiting their reuse and analysis. The Council of Ministers should publish key planning and reporting documents in open, machine-readable formats in accordance with open government principles.
- Public consultations are primarily announced through the eKonsultacije platform, while other communication channels are rarely used. Public institutions should systematically promote consultations through institutional websites, social media and other appropriate communication channels to increase public awareness and participation.

Medium-term recommendations

- The current policy-making framework does not ensure systematic evidence-based decision-making, as ex ante impact assessments are neither comprehensively regulated nor consistently applied. The Ministry of Justice of Bosnia and Herzegovina should strengthen the regulatory framework by introducing mandatory impact assessments for draft legislation and ensuring their consistent implementation.

- Stakeholders continue to be consulted only after draft legislation has already been prepared, limiting opportunities to influence policy design. The Ministry of Justice of Bosnia and Herzegovina should revise the consultation framework to ensure that stakeholders are engaged during the policy formulation stage, before legislative drafting begins.
- Monitoring and evaluation of public policies remain underdeveloped, with no systematic publication of monitoring reports or ex-post evaluations. The Council of Ministers should establish a comprehensive framework for monitoring and evaluating policy implementation and ensure the regular publication of monitoring and evaluation results.

Long-term recommendations

- Citizens and stakeholders continue to face difficulties in accessing consolidated and up-to-date legislation through a single official source. The competent authorities at all levels of government should establish an integrated, publicly accessible online portal containing consolidated legislation and ensure its regular maintenance and promotion.

METHODOLOGY APPENDIX

For producing this report for Bosnia and Herzegovina, the following research methods and tools were used for data collection and calculation of elements:

- Analysis of official documentation, data, and official websites
- Requests for free access to information
- Interviews with stakeholders and key informants
- Public perception survey.

Monitoring heavily relied on the analysis of official documents publicly available on the websites of administration bodies and on the data and information contained therein. However, in cases where the data was not available, researchers sent requests for free access to information to relevant institutions in order to obtain information necessary for awarding points for the elements.

Table 1. FOI requests sent in Bosnia and Herzegovina

Institution	Date of request	Date of reply to the request

Interviews with key informants were conducted and used as a base for point allocation for elements 1.5, 2.14, 3.14, 3.23 and 4.11. Additionally, they were used to collect qualitative, focused, and in-depth inputs on monitored phenomena. Interviews with other stakeholders (such as representatives of public administration bodies) were additionally used in the research to complement and verify otherwise collected data and findings. Selection of interviewees was based on purposive, non-probability sampling, targeting interlocutors based on their expertise on the topic or involvement in the observed processes.

Key informant interviews were comprised of a set of up to four questions where the participants expressed their agreement on a four-point scale: fully disagree, tend to disagree, tend to agree and fully agree. Points under elements 1.5, 2.14, 3.14, 3.23 and 4.11 were allocated if all key informants stated that they tend to agree/fully agree with the statement. Additionally, a set of open-ended questions was used, allowing for a discussion with interviewees and on-the-spot sub-

questions rather than strictly following a predetermined format. Interviewees were given full anonymity in terms of personal information and institutional/organisational affiliation.

Table 2. Interviews conducted in Bosnia and Herzegovina

Date	Interviewees
03.03.2026.	Transparency International BiH
03.03.2026.	CROA
03.03.2026.	Citizens Association "Demos" Brčko

List of interview questions

- **Element 1.5**

The following questions are used for point allocation for element 1.5. Point allocation is determined based on fully agree/tend to agree responses. For each question where all key informants fully agree/tend to agree with the statement, 0.75 points are allocated.

1. To what extent do you agree with the following statement: **Agenda items for the Government's sessions are transparent.**
 - a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree
2. To what extent do you agree with the following statement: **Minutes of the Government's sessions are transparent.**
 - a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree
3. To what extent do you agree with the following statement: **Decisions from the Government's sessions are transparent.**
 - a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree

4. To what extent do you agree with the following statement: **The Government publicly informs on its decisions via press releases.**
- a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree

Additional guiding questions (not used for point allocation, but relevant for providing qualitative insight necessary for the assessment):

1. How are agenda items for Government sessions typically made known to the public or stakeholders?
2. Who usually has access to agenda items before sessions take place, and how does that affect transparency or participation?
3. How useful are the existing records of meeting minutes for understanding how decisions were reached? Additionally, does the current level of transparency of meeting minutes contribute to accountability?
4. Do you find that the decisions made at Government sessions are presented clearly and understandably to the public?
5. Are there types of decisions that are more or less transparent than others? If so, why do you think that is the case?
6. How would you describe the tone and level of detail of Government press releases — are they informative, selective, or general?
7. Do you think the press releases reflect the actual content and rationale of Government decisions?
8. In your opinion, what should a fully transparent and accountable Government decision-making process look like?

• **Element 2.14**

The following questions are used for point allocation for element 2.14. Point allocation is determined based on fully agree/tend to agree responses. For each question where all key informants fully agree/tend to agree with the statement, 1 point is allocated.

1. To what extent do you agree with the following statement: **Government's planning and reporting activities are transparent.**
- a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree

2. To what extent do you agree with the following statement: **Government's planning and reporting activities are timely.**
 - a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree
3. To what extent do you agree with the following statement: **Government's planning and reporting activities are citizen friendly.**
 - a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree

Additional guiding questions (not used for point allocation, but relevant for providing qualitative insight necessary for the assessment):

1. Do Government planning documents explain and present clearly Government priorities, objectives, and expected results?
2. Are there opportunities for external stakeholders or the public to provide input during the planning stage? Does this practice vary among planning documents?
3. When it comes to timeliness, are there mechanisms to ensure that planning and reporting cycles are respected and aligned with budgetary or policy cycles?
4. Can you recall a case where the timeliness of reporting (or lack of it) had an impact on policy follow-up or accountability?
5. How effectively does the Government communicate the outcomes of its planning and reporting to citizens, in terms of conveying key messages and results? How do you assess citizens' awareness or interest in these documents?

• **Element 3.23**

The following questions are used for point allocation for element 3.23. Point allocation is determined based on fully agree/tend to agree responses. For each question where all key informants fully agree/tend to agree with the statement, 1 point is allocated.

1. To what extent do you agree with the following statement: **In the work of the working groups, lead ministries decide on my proposals/ proposals of my organisation (accept them or reject them).**

- a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree
2. To what extent do you agree with the following statement: **In the work of the working groups, lead ministries provide reasons for decisions to accept or reject my proposals/proposals of my organisation.**
- a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree
3. To what extent do you agree with the following statement: **In the work of the working groups, decisions and documents that came as the result of working groups' proceedings are available to me/my organisation.**
- a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree

Additional guiding questions (not used for point allocation, but relevant for providing qualitative insight necessary for the assessment):

1. Reflecting on your experience in participating in working groups, how would you describe the overall atmosphere and dynamics of cooperation?
2. What was the usual process after you submitted a proposal, how was it recorded or followed up?
3. Can you recall examples of proposals that were accepted and others that were not? If there were examples of your proposals being rejected, can you identify if the reasons for rejecting proposals were usually linked to policy priorities, legal constraints, or other factors?
4. Did you feel that your input was considered equally to the inputs provided by representatives of government bodies?
5. Did you find that the lead ministry/institution was open to alternative perspectives or critical feedback?
6. Were there topics or issues where discussion seemed less open or pre-decided?

7. When it comes to decisions and outputs of the working group, when did you usually receive the documents (draft laws/policy documents, meeting minutes, preparatory material, conclusions, etc.): during the process, after each meeting, or only once the final product was published?
8. Were the documents clear enough to understand how different inputs were reflected in the final version?
9. What would you say distinguishes a genuinely inclusive working group from one that is only formally inclusive?

- **Element 4.11**

The following questions are used for point allocation for element 4.11. Point allocation is determined based on fully agree/tend to agree responses. If all key informants fully agree/tend to agree with the statement, 3 points are allocated.

1. To what extent do you agree with the following statement: **During public hearings, parliamentary committees consider my proposals/ proposals of my organisation.**
 - a) fully disagree
 - b) tend to disagree
 - c) tend to agree
 - d) fully agree

Additional guiding questions (not used for point allocation, but relevant for providing qualitative insight necessary for the assessment):

1. How often have you or your organisation taken part in such hearings, and in what policy areas?
2. In your experience, do all participants have equal opportunities to express their opinions?
3. When you or your organisation submitted comments or recommendations, how were they received and treated by members of the committee?
4. After a hearing, do you receive any follow-up information on how your contributions were treated?
5. Do you think that the current feedback mechanisms are sufficient to ensure accountability of parliamentary committees?

The public perception survey is based on a questionnaire targeting the general public (18+ permanent residents) of Serbia. The survey was conducted through

computer-assisted telephone interviewing (CATI) in combination with computer-assisted web interviewing (CAWI). The survey was conducted between the 15th and 19th of February 2025. The margin of error for the sample of 1006 citizens is $\pm 3,52\%$, at the 95% confidence level.

Table X: Public perception survey questions in the area of Policy Development and Coordination

Statement 1	Strongly disagree	Disagree	Agree	Strongly agree	Don't know/No opinion
I have the opportunity to participate in developing laws and strategies of the Bosnia and Herzegovina.	1	2	3	4	99

LIST OF REFERENCED SOURCES IN THIS REPORT

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